

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 09 November 1999
Name of applicant/court: The District Court at Auckland
Applicant to the Labelling Body: Not Applicable
Title of Publication: Stroke 05b
Other Known Titles: Photos\Hoskioki\Stroke\Stroke 05b
Director: Not Applicable
Producer: Not Applicable
Publisher: Not Applicable
Author: Not Applicable
Format: Computer Image File
Country of Origin: Not Applicable
Language: Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running time:
Trailers: Running time:
Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *Stroke 05b*, also known as *Photos\Hoskioki\Stroke\Stroke 05b*, is classified as:
Objectionable.

The computer image file promotes and supports the exploitation of young persons for sexual purposes by explicitly depicting three girls posing in a sexually titillating manner and engaging in sexual activity with a male. The publication is therefore deemed objectionable.

The publication is a computer image file of a colour photograph. The image is accessed from a Jaz disk formatted for an AppleMac computer. The title is typed across the top of the screen.

The photograph depicts three adolescent Asian girls, one naked, two semi-naked, sitting on the beach posing for the viewer. One of the girls is straddling a naked male. Another is holding onto the male's penis. A substance that presents as semen is visible on the male's upper thighs implying that he has been masturbated. The girls appear to be about 14 years old. The age of the male cannot be determined as he is partially hidden, although he has adult-sized genitalia.

The publication has been found to promote and support an activity listed in s3(2) of the Films, Videos, and Publications Classification Act 1993. This provision overrides s14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) because it is a deeming provision which cannot be given a meaning that is consistent with the rights and freedoms set out in that section of the NZBR Act.

OFLC Ref: 9901377